



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Ronen SOMMER & TRADMARKS
 Appln. No. 09/895,310
 Date Filed: July 2, 2001
 For: FAILURE DETERMINATION IN AN OPTICAL COMMUNICATION NETWORK

Art Unit: 2633

Examiner: Nathan M. CURS

Washington, D.C.

Atty.'s Docket: SOMMER=1

Date: September 10, 2004

Confirmation No. 6600

2633
41
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SEP 15 2004

Technology Center 2600

Honorable Commissioner for Patents
 U.S. Patent and Trademark Office
 2011 South Clark Place
 Customer Window, Mail Stop **Amendment**
 Crystal Plaza Two, Lobby, Room 1B03
 Arlington, Virginia 22202

Sir:

Transmitted herewith is a [X] **RESPONSE**

the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
- [] Applicant claims small entity status. See 37 C.F.R. §1.27.
- [] No fee is required.
- [XX]** The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) MINUS	(Col. 3) HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	13	**	20	
INDEP.	4	MINUS	*** 4	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 43	\$
+ 145	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 86	\$
+ 290	\$
TOTAL	

OR

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

- [XX]** Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- [XX]** It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
- [] Second - \$ 210.00
- [] Third - \$ 475.00
- [] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [XX]** First - \$ 110.00
- [] Second - \$ 420.00
- [] Third - \$ 950.00
- [] Fourth - \$ 1480.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 110.00.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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In re Application of:) Art Unit: 2633
Ronen SOMMER)
Appln. No.: 09/895,310) Examiner: Nathan M. CURS
Date Filed: July 2, 2001) Washington, D.C.
For: FAILURE DETERMINATION IN) Confirmation No.: 6600
AN OPTICAL COMMUNICATION) September 10, 2004
NETWORK)
)

RESPONSE

Mail Stop Amendment
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

Sir:

Replying to the Office Action mailed May 10, 2004,
petition for one-month's extension of time and late fee being
attached hereto.

Claims 1-13 are pending in the present application.
The Office Action and cited references have been considered.
Favorable reconsideration and such allowance are respectfully
urged.